

DEC 05 2006

Application No.: 10/628,866  
Filed: 7/28/03  
TC Art Unit: 3735  
Confirmation No.: 3828

## BEST AVAILABLE COPY

Rev 9/06

WEINGARTEN, SCHURGIN, GAGNEBIN &amp; LEOVICI LLP

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Date: December 5, 2006

Attorney  
Docket No.: EMI-001CX

Sir:

In re application of: Khuri et al.

Entitled: SYSTEMS AND METHODS OF PH TISSUE MONITORING

Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$\_\_\_\_\_) per §1.17(e).  
 Enter the unentered amendment previously filed on \_\_\_\_\_ per §1.116.

Small Entity Status is asserted.

A Petition for Extension of Time for 1 month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$120.00) per §1.17. ✓

In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	7 - 7	= 0	x \$200.00 =	0
Total	39 - 39	= 0	x \$ 50.00 =	0
[ ] Multiple Dependent Claims (1st presentation)				+ \$360.00 =
SUBTOTAL ADDITIONAL FEE				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				
TOTAL ADDITIONAL FEE				0

No additional fee.  The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$\_\_\_\_\_) for the cost of same.

The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Nasser, TC Art Unit 3735, Fax No. (571) 273 8300, on December 5, 2006

  
Attorney of Record: Thomas O. Hoover  
Registration No.: 32,470

/345198

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DATE: December 5, 2006

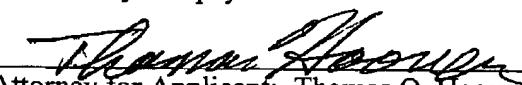
TO: Robert L Nasser  
TC Art Unit: 3736 Fax No.: 571-273-8300FROM: Thomas O. Hoover  
No. of pages transmitted  
(including this page): 12

Our File: EMI-001CX Time:

Your Ref:  
Application No.: 10/628,866  
Filed Date: 7/28/03  
Confirmation No.: 3828 Sent by: TanyaA confirmation copy of this transmission will not be mailed unless the following is checked:  MESSAGEPLEASE DELIVER DIRECTLY TO:  
EXAMINER Robert L. Nasser  
TC ART UNIT NO: 3736**FOR ENTRY**

Enclosed for filing please find an Amendment Transmittal and an Amendment

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.

  
Attorney for Applicant: Thomas O. Hoover

Registration No.: 32,470

326230.1

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